

**A SUBSTITUTE RESOLUTION
BY FINANCE/EXECUTIVE COMMITTEE**

A RESOLUTION AUTHORIZING RENEWAL AGREEMENT NUMBER 2 WITH MOTOROLA, INC. FOR THE CITY OF ATLANTA'S CITYWIDE RADIO SYSTEM MAINTENANCE AGREEMENT FOR A PERIOD OF ONE (1) YEAR IN THE AMOUNT OF \$1,812,664 WITH THE OPTION TO RENEW FOR EACH OF THREE (3) ADDITIONAL YEARS WITH FIRM, FIXED RATES ANNUALLY; ALL COSTS TO BE PAID FROM THE APPROPRIATE FUND, ACCOUNT AND CENTER NUMBERS; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") and Motorola, Inc. ("Motorola") have in existence a maintenance agreement relating to certain equipment originally provided by Motorola in connection with the Citywide Radio System (the "Motorola Maintenance Agreement"), and Motorola has been providing support and maintenance to the City pursuant to various terms and conditions under that agreement, as amended from time to time; and

WHEREAS, Motorola designed, installed, optimized, and has continuously maintained the Citywide Radio System upon which the City relies to provide communication support for its public safety services for the past several years; and

WHEREAS, the City and Motorola wish to renew the Motorola maintenance Agreement for a period of one (1) year with the option to renew for each of three (3) additional one (1) year terms; and

WHEREAS, Motorola has implemented a customized maintenance program for the City which combines the services of a local System Service Team, with the availability of additional Motorola technical support services, engineering services, field technical representative services, and administrative services as required; and

WHEREAS, the annually renewable agreement covers, among other things, all parts and labor, and includes preventative maintenance checks for the City's 6 Site, Simulcast Trunking System infrastructure, approximately 3,400 subscriber units, the Mobile Data System, the loop Microwave system, the 911 radio dispatch console, UPS's, HVAC units at sites, generators, and tower inspections; and

WHEREAS, the City and Motorola, Inc. desire to enter into an appropriate contractual agreement reflecting Renewal Agreement Number 2; and

WHEREAS, the office of General Services has recommended that this transaction is in the best interest of the City;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That the Mayor is hereby authorized to execute an appropriate contractual agreement on behalf of the City for Renewal Number 2 to the existing Maintenance Agreement with Motorola, Inc. beginning January 1, 2003 to, through, and including December 31, 2003 for a grand total system maintenance cost of not to exceed One Million Eight Hundred Twelve Thousand Six Hundred Sixty-four Dollars (\$1,812,664).

SECTION 2: That the Maintenance Agreement with Motorola shall be renewed for a period of one (1) year with the City's option to renew for each of three (3) additional one (1) year terms to, through, and including December 31, 2006, with firm, fixed prices for each such annual term pursuant to Motorola's Statement of Work dated January 1, 2003. Renewal Agreement number 2 and each renewal thereafter shall be subject to and expressly contingent upon the City's appropriation of sufficient funds to support each renewal term.

SECTION 3: That Renewal Agreement Number 2 with Motorola, Inc. shall not become binding upon the City and the City shall incur no obligation upon the same until such agreement has been approved by the City Attorney as to form, executed by the Mayor, sealed by the Municipal Clerk, and delivered to the contracting party.

SECTION 4: That costs associated with this transaction shall be charged to and paid from the following: General Fund, Fund Account Center Number 1A01 523001 T51013 in an amount not to exceed \$1,077,352 and the following Enterprise Funds, Fund Account Center Numbers 2H21 523001 R21E01219999, in an amount not to exceed \$245,084; 2J01 523001 Q21101, in an amount not to exceed \$189,367; 2J01 523001 Q31001, in an amount not to exceed \$77,773; 2J01 523001 Q51001, in an amount not to exceed \$111,494; 2P01 523001 M31101, in an amount not to exceed \$111,594.